

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 17125 of 2007(L)

PETITIONER:

E.KESAVAN NAIR, S/O.KANARAN NAIR,
AGED 79 YEARS, ELAYIDATH HOUSE,
P O KOLLAM, KOYILANDY.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS:

1. THE DEPUTY COMMISSIONER,
OFFICE OF THE DEPUTY COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS
(ADMN.) DEPARTMENT, KOZHIKODE.
2. SREE PISHARIKAVU TEMPLE, KOLLAM,
KOYILANDY, REPRESENTED BY ITS EXECUTIVE
OFFICER.
3. SHRI.KANNAN NAIR, "SATHYA NIVAS",
POST: SREEKRISHNAPURAM, (VIA) KARIMPUZHA,
PALAKKAD DISTRICT.
4. SHRI ELAYIDATH VENUGOPALAN,
S/O.KUNHIRAMAN, "SANTHI SADANAM",
P.O.KOLLAM, KOYILANDY.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
SRI.S.SUJIN
SRI.MAHESH V RAMAKRISHNAN
SRI.S.SUJIN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1 PHOTOCOPY OF NOTICE BEARING NO.A2-2370/05(5) DATED 14/2/2006 ISSUED BY THE 1ST RESPONDENT TO THE 2ND RESPONDENT AND OTHERS.

EXT.P2 PHOTOCOPY OF ORDER NO.A4/771/03 DATED 6.5.2003 ISSUED BY THE FIRST RESPONDENT TO THE 3RD RESPONDENT AND OTHERS.

EXT.P3 PHOTOCOPY OF ORDER NO.771/03 DATED 20.3.2003 ISSUED BY THE 1ST RESPONDENT TO THE 3RD RESPONDENT AND OTHERS.

EXT.P4 PHOTOCOPY OF ORDER NO.A4/771/03 DATED 27.6.2003 ISSUED BY THE 1ST RESPONDENT TO THE 2ND RESPONDENT.

EXT.P5 PHOTOCOPY OF JUDGMENT OF THIS HONOURABLE COURT, DATED 25.8.2003 IN WP(C) NO.20099/2003P.

EXT.P6 PHOTOCOPY OF JUDGMENT OF THIS HONOURABLE COURT DATED 6.10.2003 IN WP(C)30006/2003 V.

EXT.P7 PHOTOCOPY OF ORDER DATED 18.12.2003 IN APPEAL PETITION NO.13/2003 BY THE COMMISSIONER, HR&CE(ADMN) DEPARTMENT, KOZHIKODE.

EXT.P8 PHOTOCOPY OF ORDER NO.A4/2137/03 DATED 3.2.2004 ISSUED BY THE 1ST RESPONDENT TO THE 3RD RESPONDENT AND OTHERS.

EXT.P9 PHOTOCOPY OF JUDGMENT OF THIS HONOURABLE COURT DATED 16.7.2004 IN WP(C) 5835/2004 T

EXT.P10 PHOTOCOPY OF ORDER DATED 24.8.2004 IN AP 14/2004 BY THE COMMISSIONER HR&CE (ADMN) DEPARTMENT, KOZHIKODE.

EXT.P11 PHOTOCOPY OF ORDER NO.A4-1252/04 DATED 19.10.2005 OF THE 1ST RESPONDENT.

EXT.P12 PHOTOCOPY OF ORDER NO.A4/1254/04 DATED 14.2.2006 ISSUED BY THE 1ST RESPONDENT.

EXT.P13 PHOTOCOPY OF ORDER NO.A4/673/07(K.Dis) DATED 23.5.2007 ISSUED BY THE 1ST RESPONDENT TO THE 4TH RESPONDENT.

K.S.Radhakrishnan

&

Antony Dominic, JJ.

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W.P.(C)No.17125 of 2007

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Dated this the 19th day of June, 2007.

JUDGMENT

Radhakrishnan,J.

Writ Petition is preferred challenging Ext.P13 order appointing the fourth respondent to hold the office as fit person on a request made by the third respondent. The third respondent has now expressed his willingness to function as the trustee. If that be so, Ext.P13 will have no legal effect and the third respondent can function as hereditary trustee. In the circumstances, no further orders are necessary.

Writ Petition is disposed of as above.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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